

SHIRE OF MOORA
MINUTES OF THE ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MOORA
19 APRIL 2023

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I. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

I.1 DECLARATION OF OPENING

The Shire President declared the meeting open at 5.33pm.

The Shire of Moora acknowledges the traditional custodians of the land we are meeting on, the Yued people, and pay our respects to Elders past, present, and emerging.

I.2 DISCLAIMER READING

No responsibility whatsoever is implied or accepted by the Shire of Moora for any act, omission or statement or intimation occurring during this meeting.

It is strongly advised that persons do not act on what is heard at this meeting and should only rely on written confirmation of Council's decision, which will be provided within fourteen (14) days of this meeting.

2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

ATTENDANCE

TL Lefroy	-	President
SJ Gilbert	-	Deputy President
DV Clydesdale-Gebert	-	Councillor
EI Hamilton	-	Councillor
KM Seymour	-	Councillor
SA Bryan	-	Councillor
TL Errington	-	Councillor
GW Robins	-	Chief Executive Officer
MM Murray	-	Executive Support Officer (from 6.00pm)

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. PETITIONS / DELEGATIONS / PRESENTATIONS

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Cr Seymour requested a leave of absence for the meeting of Council to be held on 17 May 2023, as he will be on leave.

COUNCIL RESOLUTION

33/23 Moved Cr Errington, seconded Cr Hamilton that leave of absence be granted to Cr Ken Seymour for the meeting of Council to be held on 17 May 2023.

CARRIED 7/0

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER

The following Council associated engagements were attended:

Cr Lefroy, President

16/3 AgriFutures Rural Women's Awards, Perth

21/3 Moora Triathlon committee meeting debrief

21/3 meeting with Kelly Prior, WACHS Project Officer re the Ngamari Free project in the Shire

23/3 meeting with Raymond da Silva, CEO of the Yued Aboriginal Corporation, Moora

Cr Gilbert, Deputy President

29/3 meeting with Architect Greg Paterson re the Moora Sport & Recreation Plans

Cr Seymour

14/4 chaired the Avon-Midland Country Zone of WALGA meeting, Bindoon

Cr Hamilton

17/4 Moora Chamber of Commerce meeting

8. CONFIRMATION OF MINUTES

8.1 ORDINARY COUNCIL MEETING - 15 MARCH 2023

COUNCIL RESOLUTION

34/23 Moved Cr Gilbert, seconded Cr Errington that the Minutes of the Ordinary Meeting of Council held on 15 March 2023 be confirmed as a true and correct record of the meeting.

CARRIED 7/0

9. REPORTS OF OFFICERS

9.1 GOVERNANCE AND CORPORATE SERVICES

9.1.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION I.15

REPORT DATE: 3 April 2023

OFFICER DISCLOSURE OF INTEREST: Nil

AUTHOR: Gavin Robins, Chief Executive Officer

SCHEDULE PREPARED BY: Charly Sawyer, Creditors Officer

ATTACHMENTS: Accounts Paid Under Delegated Authority

PURPOSE OF REPORT

Payments have been made under delegated authority and a listing of these payments is attached for Council to note and endorse.

BACKGROUND

At the December 2005 Ordinary Meeting of Council resolution 276/2005 delegated the authority of payments from Municipal and Trust Funds to the Chief Executive Officer.

COMMENT

Accounts Paid under delegated authority are periodically presented to Council.

POLICY REQUIREMENTS

Delegation I.15 – Making Payments from Municipal and Trust Funds

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995 - Section 6.10

Local Government (Financial Management) Regulations 1996 – Regulations 12 & 13.

STRATEGIC IMPLICATIONS

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS

➤ Environment

There are no known significant environmental implications associated with this proposal.

➤ Economic

There are no known significant economic implications associated with this proposal.

➤ Social

There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS

Payments are in accordance with the adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

35/23 Moved Cr Hamilton, seconded Cr Errington that Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation 1.15

Municipal Funds	28854-29060	-\$ 439,480.28
Municipal Cheque	62554-62557	-\$ 4,977.00
Credit Card	DD15336.1	-\$ 2,214.48
Direct Debit	DD15322.1-DD15351.14	-\$ 117,827.07
		-\$ 564,498.83
Trust Cheque	5630-5631	-\$ 61.65
		-\$ 564,560.48
NETT PAY	14/03/2023	-\$ 124,674.40
NETT PAY	28/03/2023	-\$ 125,791.19
		-\$ 250,465.59
PAYMENT TOTAL MARCH 2023		<u>-\$ 815,026.07</u>

CARRIED 7/0

9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 28 FEBRUARY 2023

REPORT DATE: 13 April 2023

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Rhona Hawkins, LG Best Practices

ATTACHMENTS: Statement of Financial Activity for the Period Ended 28 February 2023

PURPOSE OF REPORT

To receive and endorse the Statement of Financial Activity for the period ended 28 February 2023.

BACKGROUND

Council is provided with monthly financial reports to enable monitoring of revenues and expenditures against the adopted budget.

COMMENT

The Statement of Financial Activity for the Period Ended is provided as a separate attachment in Program format.

POLICY REQUIREMENTS

Nil

LEGISLATIVE REQUIREMENTS

Local Government Act 1995, Section 6.4

Local Government (Financial Management) Regulations 1996, Clause 34

STRATEGIC IMPLICATIONS

Monitoring of actual revenues and expenditures against the adopted budget assists Council in being informed as to the financial health of the organisation.

SUSTAINABILITY IMPLICATIONS

- **Environment**
There are no known significant environmental implications associated with this proposal.
- **Economic**
There are no known significant economic implications associated with this proposal.
- **Social**
There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS

Year to date income and expenditure is provided by program to enable comparison to 2022/23 adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

36/23 *Moved Cr Hamilton, seconded Cr Bryan that Council endorses the Statement of Financial Activity for the period ended 28 February 2023.*

CARRIED 7/0

9.1.3 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 MARCH 2023

REPORT DATE: 13 April 2023

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Rhona Hawkins, LG Best Practices

ATTACHMENTS: Statement of Financial Activity for the Period Ended 31 March 2023

PURPOSE OF REPORT

To receive and endorse the Statement of Financial Activity for the period ended 31 March 2023.

BACKGROUND

Council is provided with monthly financial reports to enable monitoring of revenues and expenditures against the adopted budget.

COMMENT

The Statement of Financial Activity for the Period Ended is provided as a separate attachment in Program format.

POLICY REQUIREMENTS

Nil

LEGISLATIVE REQUIREMENTS

Local Government Act 1995, Section 6.4

Local Government (Financial Management) Regulations 1996, Clause 34

STRATEGIC IMPLICATIONS

Monitoring of actual revenues and expenditures against the adopted budget assists Council in being informed as to the financial health of the organisation.

SUSTAINABILITY IMPLICATIONS

- **Environment**
There are no known significant environmental implications associated with this proposal.
- **Economic**
There are no known significant economic implications associated with this proposal.
- **Social**
There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS

Year to date income and expenditure is provided by program to enable comparison to 2022/23 adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

37/23 Moved Cr Bryan, seconded Cr Gilbert that Council endorses the Statement of Financial Activity for the period ended 31 March 2023.

CARRIED 7/0

At 6.00pm the Executive Support Officer joined the meeting.

9.1.4 MOORA CENTRAL BUSH FIRE BRIGADE

FILE REFERENCE: LO/MOFI

REPORT DATE: 7 March 2023

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Nicholas Parry, Community Emergency Services Manager

ATTACHMENTS: Monochrome response map (attach 1)

Topographic response map (attach 2)

PURPOSE OF REPORT

The purpose of this item is to have council establish a *Moora Central Bush Fire Brigade* under the *Bush Fire Act 1954* and Shire of Moora Local Laws.

BACKGROUND

The Shire Council is requested to consider the establishment of a new *Moora Central Bush Fire Brigade* based in the Moora township. While the current Volunteer Fire & Rescue Service covers the Moora town site, it does not extend beyond the town limits, creating a response gap in the area that the Bush Fire Brigade would be expected to cover.

Although there are already five Bush Fire Brigades within the Shire, none are situated in close proximity to Moora townsite.

This gap has been identified as a potential safety issue and we believe that establishing a Central Bush Fire Brigade in Moora would provide a solution to this issue. Furthermore, Moora has a larger residential base, which could provide volunteer opportunities for the new brigade attraction and retention. It is important to note that the new brigade would not only serve the outer Moora area but would also provide backups for all other calls within the Shire.

In the current financial year, there have been 31 calls that this new brigade could have responded to and or backed up.

As per attached mapping, the highlighted areas reflect current approximate response areas, this is often based on a day-to-day determination of conditions and caller information, as you can see there is a large unshaded area surrounding the outer Moora town site.

There is a small red shaded area around the inner town, this is the authority of the Volunteer Fire and Rescue Service under the *Fire Brigades Act* however does not extend past the shaded area.

As the population and volunteer availability decreases in the outlying towns of Moora, it is more critical than ever to back them up with a brigade that is able to source additional membership through larger populations.

We ask that the Shire Council seriously consider the establishment of a new bush fire brigade in Moora, in order to provide adequate protection for the residents of the area and to address the response gap.

The Volunteer Fire & Rescue Service have provided a letter of support in the establishment of the Moora Central Bush Fire Brigade and are willing to assist the Shire in the management, leadership, training, and volunteers to ensure this brigade is successful.

As such, the Shire will also be seeking funding from the Department of Fire and Emergency Services through the Local Government Grant Scheme (LGGs) to establish a new Combined Emergency Services Complex that is intended to house this Bush Fire Brigade, State Emergency Services and eventually Fire & Rescue Services.

COMMENT

A Shire of Moora Central Bush Fire Brigade is predicted to considerably enhance the Shire's capability to mitigate and response to hazards such as bushfire. The ability for recruitment and retention of volunteer membership is significantly higher than the other five brigades through the Shire, as the population and occupation of people within the township allows for more volunteer activities.

The Moora Central Brigade will initially be supported with at least one high season fire appliance from the Department of Fire and Emergency Services until further risk to resources assessments can determine an appropriate full time fire appliance. The establishment of the Central Brigade will encourage volunteers in supporting functions such as incident management, communications, welfare support and training on top of incident response.

The Department of Fire and Emergency Services also support the establishment of a Moora Central Bush Fire Brigade.

CONSULTATION

Shire of Moora Bush Fire Advisory Committee
 Moora Volunteer Fire & Rescue
 Shire of Moora CEO - Gavin Robins
 Shire of Moora Chief Bush Fire Control Officer - Brendon Pratt
 Moora Fire Control Officer - Hugh Bryan
 Department of Fire and Emergency Services – Felix McQuistan

POLICY REQUIRMENTS

Nil

STATUTORY CONTEXT

Bush Fire Act 1954

Division 2 — Bush fire brigades

- 41. Bush fire brigades

(1) For the purpose of carrying out normal brigade activities a local government may, in accordance with its local laws made for the purpose, establish and maintain one or more bush fire brigades and may, in accordance with those local laws, equip each bush fire brigade so established with appliances, equipment and apparatus.

Shire of Moora Model Local Laws – Bush Fire Brigade Local Law

Part 2 — Establishment of Bush fire brigades

- 2.1 Establishment of Bush Fire Brigade

(1) The Local Government may establish a bush fire brigade for the purpose of carrying out normal brigade activities.

(2) A bush fire brigade is established on the date of the local government's decision under subclause (1)

“Normal brigade activities” This term is defined in section 35A of the Act (*Bush Fire Act 1954*)

STRATEGIC IMPLICATIONS:

Bushfire Risk Management Plan 2022

Strategic Community Plan 2018 – 2028

Outcome 1.5: A safe community.

Outcome 2.1: A protected natural environment.

SUSTAINABILITY IMPLICATIONS**➤ Environment**

There are no known significant environmental implications associated with this proposal.

➤ Economic

There are no known significant economic implications associated with this proposal.

➤ Social

There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS

Initial development of the Moora Central Bush Fire Brigade will be at no cost to the Shire. There will be expenses ongoing for the cost of PPE, Equipment, Training etc however this is covered by the Local Government Grant Scheme (LGGs). The Shire will also reduce capital LGGs expenditure by locating several Fire and Emergency Services resources together rather than individual facilities.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

38/23 Moved Cr Seymour, seconded Cr Bryan that the Shire of Moora Council move to establish a 'Moora Central Bush Fire Brigade' under Division 2 - s. 41 of the Bush Fire Act 1954 and Shire of Moora Model Local Laws 'Bush Fire Brigade Local Law' Part 2 - s.2.1.

CARRIED 7/0

10. REPORTS OF COMMITTEES

GENERAL PURPOSE COMMITTEE MEETING – 5 APRIL 2023

10.1 LOCAL GOVERNMENT ORDINARY ELECTIONS: 2023

FILE REFERENCE: EM/ELC7-2

REPORT DATE: 29 March 2023

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: N/A

AUTHOR: Gavin Robins, Chief Executive Officer

ATTACHMENTS: Nil

PURPOSE OF REPORT:

For Council to resolve to appoint the Western Australian Electoral Commission to carry out the 2023 Ordinary Election as a Postal Election on 21 October 2023.

BACKGROUND:

Council has outsourced the election process since 2009. Many Local Governments utilise the services of the Electoral Office in managing the election process as it streamlines the process and allows staff to progress other priority areas within the organisation.

The Shire of Moora has engaged the Western Australian Electoral Commission to carry out the past seven Ordinary Elections as Postal Elections.

COMMENT:

Many positive comments were received from Councillors, staff and members of the public in regard to the use of postal voting for the 2009, 2011, 2013, 2015, 2017, 2019 and 2021 Ordinary Elections.

The benefits in utilising the Electoral Commission included:

- Voter turnout increasing;
- Less interruptions to the day to day administration of the Shire;
- Administration processes that were streamlined and more efficient reporting due to standardised processes used;
- Increased perception of independence of the Returning Officer from Council and staff.

The quote obtained from the Electoral Commission as an estimate for the 2023 elections is \$22,000 including GST. This is based on the following assumptions by the Electoral Commission:

- 1,700 electors
- response rate of 50%
- 3 vacancies
- count to be conducted at the offices of the Shire of Moora
- appointment of a local Returning Officer
- regular Australia Post delivery service to apply for the lodgement of the election packages.

The quote does not include:

- any legal expenses other than those determined to be borne by the WA Electoral Commission in a Court of Disputed Returns
- the cost for a staff member to assist the Returning Officer on Election day or night
- any additional postage rate increases by Australia Post; and

- any unanticipated costs arising from public health requirements for the COVID-19 pandemic.

A letter of agreement has been obtained from the Electoral Commissioner as per the requirements of the Local Government Act 1995.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Requirements of the Local Government Act 1995 section 4.20 (4)

STRATEGIC IMPLICATIONS:

Strategic Community Plan 2018-2028

Outcome 5.2: Community leadership is encouraged and supported.

Outcome 5.5: Ensure effective and efficient corporate and administrative services.

SUSTAINABILITY IMPLICATIONS

- **Environment**
There are no known significant environmental implications associated with this proposal.
- **Economic**
There are no known significant economic implications associated with this proposal.
- **Social**
There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

The quoted estimate from the Electoral Commission is \$22,000 to Council if a postal election is conducted by the Western Australian Electoral Commission for the Ordinary Council election to be held on Saturday 21st October 2023. This would be a budgeted item in the 2023/2024 financial year.

VOTING REQUIREMENTS

Absolute Majority Required

COUNCIL RESOLUTION (COMMITTEE RECOMMENDATION)

39/23 Moved Cr Bryan, seconded Cr Clydesdale-Gebert that Council;

- 1. Declare, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the 2023 ordinary elections together with any other elections or polls which may be required; and**
- 2. Decide, in accordance with section 4.61(2) of the Local Government Act 1995 that the method of conducting the election will be as a postal election.**

CARRIED BY ABSOLUTE MAJORITY 7/0

10.2 WRITE OFF DEBTOR BALANCES**FILE REFERENCE:** F/SUDI**REPORT DATE:** 29 March 2023**OFFICER DISCLOSURE OF INTEREST:** Nil**PREVIOUS MEETING REFERENCES:** Nil**AUTHOR:** Gavin Robins, Chief Executive Officer**ATTACHMENTS:** Nil**PURPOSE OF REPORT:**

To request Council, write off eight outstanding sundry debtor balances totalling an amount of \$3,118.11.

BACKGROUND:

During the conduct of the final audit for the 2021/22 financial year all outstanding balances were reviewed to assess the likelihood of recovering the outstanding balances.

Following the management review of outstanding debtor balances as at 30 June 2022, it was concluded that 8 outstanding Childcare debtor balances totalling \$3,118.11 were considered as highly unlikely to be recovered.

COMMENT:

All outstanding balances have been outstanding for two or more years, or are minimal, and relate to families that are no longer using the service; those accounts have been classed inactive. Attempts have been made over the years to recover the outstanding balances with minimal response received from account holders. The Shire has sent statements, letters, emails and tried phoning on numerous occasions to discuss repayment plans to no avail. Need assistance from outside agencies to help with intervention, budgeting and Centrelink. Called into the local Centrelink office in the arcade but they were not very helpful and advised that we can set up direct payment, but this must be done through Centrelink.

Debtor Number	Debtor Name	Outstanding Amount	Comments
2027851	Corey NARRIER	\$799.43	Outstanding Child Care Fees 2018 no longer using service
2027823	Xenedra INDICH-PACIEJUN	\$500.00	Outstanding Child Care Fees 2019 no longer using service
2027541	Sashia INDICH	\$142.00	Outstanding Child Care Fees 2021 no longer using service
1949869	Bernadette GILLA	\$23.30	Outstanding Child Care Fees 2022 no longer using service
1688522	Rhonda FLOWERS	\$651.60	Outstanding Child Care Fees 2021 no longer using service
1688431	Dakota MIPPY	\$314.44	Outstanding Child Care Fees 2021 no longer using service
2027854	Jayde NUNN	\$461.50	Outstanding Child Care Fees 2021 no longer using service
1688472	Kiri KINGI	\$225.84	Outstanding Child Care Fees 2021 no longer using service
Total Amount		\$ 3,118.11	

Should Council not want to write off the debtor balances, there is the option to pursue further legal action to recover these debts. The risk associated with this is that such legal costs may not be recovered in the event of the amounts not being recovered in full.

Given that some of the debtors are no longer active, while other amounts are minor, it is recommended that all balances be written off.

POLICY REQUIREMENTS:

There are no known policy requirements related to this matter.

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995 section 6.12

s. 6.12 Power to defer, grant discounts, waive or write off debts

- (1) Subject to subsection (2) and any other written law, a local government may —
- (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or
 - (b) waive or grant concessions in relation to any amount of money; or
 - (c) write off any amount of money, which is owed to the local government.

STRATEGIC IMPLICATIONS:

There are no known strategic implications for this item.

SUSTAINABILITY IMPLICATIONS:

➤ **Environment**

There are no known significant environmental implications associated with this proposal.

➤ **Economic**

There are no known significant economic implications associated with this proposal.

➤ **Social**

There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

The Shire of Moora Childcare Fees balance will be decreased therefore reducing the Shire's net cash position by \$3,118.11.

VOTING REQUIREMENTS:

Simple Majority Required

COUNCIL RESOLUTION (COMMITTEE RECOMMENDATION)

40/23 Moved Cr Bryan, seconded Cr Errington that Council write off the following sundry debtor Childcare fees:

- **Corey Narrier - \$799.43**
- **Xenedra Indich-Paciejun - \$500.00**
- **Sashia Indich - \$142.00**
- **Bernadette Gilla - \$23.30**
- **Rhonda Flowers - \$651.60**
- **Dakota Mippy - \$314.44**
- **Jayde Nunn - \$461.50**
- **Kiri Kingi - \$225.84**

CARRIED BY ABSOLUTE MAJORITY 7/0

10.2 **NETBALL COURT REDEVELOPMENT**

FILE REFERENCE: BA/BNCDI

REPORT DATE: 29 March 2023

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Amy Watts, Manager Community Development

ATTACHMENTS: Nil

PURPOSE OF REPORT:

To provide Council with a report and cost estimate for the resurfacing of the netball courts.

BACKGROUND:

As identified in the Moora Sport and Recreation Masterplan, the current netball courts at the Moora Recreation Grounds are in disrepair and unplayable. Following the receipt of a grant to resurface the bowling rinks, restoration of these courts was recognised as a priority due to their proposed multi use and the number of participants involved.

Two companies engaged in playing surface restoration inspected the courts in early 2022. Both companies advised that the courts are beyond economic repair and required full removal and replacement.

Consistent with the Sport & Recreation Masterplan, quotes were sought to have the courts rebuilt as multipurpose Netball, Basketball, and Tennis Courts. Meetings have been convened with the Moora Districts Tennis Club, Central Midlands Netball Association (CMNA), Moora Mavericks Netball Club, and the Central Midlands Basketball Association (CMBA). All clubs reaffirmed their satisfaction with the four multi-purpose courts as previously confirmed during the Masterplan consultation process.

COMMENT:

As part of the planning process and sequencing of works and grant applications, the two companies that inspected the current courts provided advice as to the orientation of the courts and related costs.

While east-west oriented courts are slightly less expensive overall, this orientation is not favourable to the playing experience due to players facing into the sun. As with other similar court-based sports, the north-south orientation is the preferred option for the new courts. Tennis Australia and Netball WA have been engaged to provide additional advice in respect of the courts and their orientation.

The approximate cost of establishing the four-sport courts is set out below. Included in the table is the allocation of funding by prospective participating funders.

Item	Quote 1 – N-S Orientation	Quote 2 – Tennis Courts E-W
Fencing – 3.6m high to all sides, 95m x 40m	\$61,486	\$61,486
Demolition and reconstruction of Asphalt	\$272,590	\$272,590
Acrylic surfaces and line marking	\$55,800	\$55,800
Netball/Tennis/Basketball Fixtures	\$80,000	\$30,000

4 x 3 tier 6m Grandstands	\$16,128	\$16,128
TOTAL	\$486,004	\$436,004
	Contribution Excl GST	
Shire of Moora	\$162,000	
State Gov DGLSC	\$162,000	Grant application due July 2023 for funding in 24/25
Central Midland Netball Association	\$10,000	
Moora Mavericks Netball	\$10,000	
Central Midlands Basketball Association	\$-	
Moora Districts Tennis Club	\$-	
Netball WA Community Facilities Fund	\$7,000	Annually – open June, approval announced Nov
Lottery west	\$50,000	
Tennis Australia Court Rebate	\$65,000	Annually – open June, approval announced Nov
Other – Fundraising	\$20,000	
TOTAL	\$486,000	

This body of work is intended to inform the overarching Sport and Recreation Centre development plan and sequencing of activities, while clearing the way to apply for future funding. Currently, the CMNA and Moora Mavericks have agreed in principle to contribute \$10,000 each towards the project. CMBA does not currently have the capacity to commit to a contribution due to limitations associated with holding a competition on one court.

A number of funding opportunities will be explored when there is final agreement and clarity in respect of the community agreed Sport and Recreation Centre Development Plan.

The following images provide a comparison between the existing courts and how the redeveloped courts would appear.



**POLICY REQUIREMENTS:**

There are no known policy requirements related to this matter.

LEGISLATIVE REQUIREMENTS:

There are no known legislative requirements at this time.

STRATEGIC IMPLICATIONS:

There are no known strategic implications for this item.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no known significant environmental implications associated with this proposal.
- **Economic**
There are no known significant economic implications associated with this proposal.
- **Social**
There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

There are no financial implications for the Shire at this time.

VOTING REQUIREMENTS:

Simple Majority Required

**COUNCIL RESOLUTION
(COMMITTEE RECOMMENDATION)**

41/23 Moved Cr Errington, seconded Cr Hamilton that Council approves in principle a contribution of up to 1/3 of the project costs towards the redevelopment of the netball courts.

CARRIED 7/0

10.3 2022-2023 BUDGET REVIEW

FILE REFERENCE: F/BUD I
REPORT DATE: 28 March 2023
APPLICANT/PROPONENT: Shire of Moora
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Gavin Robins, Chief Executive Officer
ATTACHMENTS: Nil

PURPOSE OF REPORT:

To note the annual budget review for presentation at the Ordinary Council meeting on 19 April 2023 and endorsement of the recommendations.

BACKGROUND:

Local Governments are required to formally conduct a budget review at least once each financial year, between 1 January and 31 March. The budget review allows a detailed comparison of the year-to-date actual results with the adopted or amended budget.

The budget review is to be submitted to Council within 30 days of the review for Council to consider and determine whether to adopt the review and any recommendations made within the review.

A copy of the review and Council decision is to be provided to the Department of Local Government, Sport & Cultural Communities within 30 days of the decision by Council.

COMMENT:

The budget review for the period 1 July 2022 to 31 January 2023 has been conducted by management.

The review was completed Wednesday 28 March 2022. In accordance with Regulation 33A of the Local Government (Financial Management) Regulations 1996, the budget review is to be submitted to Council within 30 days of the review for Council to consider and determine whether to adopt the review and any recommendations made within the review.

Council adopted the 2022/23 Budget with an operating surplus of \$0. As expected, the budget review identified the reasonably balanced nature of the 2022-2023 budget. The review noted several unplanned events and the oval light towers, Apex Park toilets and wastewater treatment plant project that have required reprioritisation of some expenditures. The costs of these events have been offset by the impact of ongoing supply chain issues, which in a budget sense, have created permanent changes to the 2022-2023 budget due to particular high value procurements being carried forward into the 2023-2024 financial year.

Recurrent expenditure is largely as budgeted, with no material variations; the minor “over” and “under” budget line variations typical throughout the trading year will nett-off throughout the remainder of the financial year. The Budget Review document remains predicated on a balanced outcome, or \$0 operating surplus as at 30 June 2023.

Following the budget review and based on the current stable financial position, and in view of the current period of consolidation, management recommends that the budget should remain unchanged.

POLICY REQUIREMENTS:

There are no known policy implications.

LEGISLATIVE REQUIREMENTS:

Local Government (Financial Management) Regulations 1996

33A. Review of budget

- (1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.
- (2A) The review of an annual budget for a financial year must —
 - (a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
 - (b) consider the local government's financial position as at the date of the review; and
 - (c) review the outcomes for the end of that financial year that are forecast in the budget.
- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.
- (3) A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.

*Absolute majority required.

- (4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

STRATEGIC IMPLICATIONS:

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no known significant environmental implications associated with this proposal.
- **Economic**
There are no known significant economic implications associated with this proposal.
- **Social**
There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

The financial implications remain unchanged from those set out and tabled in the 2022/23 Budget documentation.

VOTING REQUIREMENTS

Absolute Majority Required

**COUNCIL RESOLUTION
(COMMITTEE RECOMMENDATION)**

42/23 Moved Cr Gilbert, seconded Cr Bryan that Council

- 1. Approve the Budget Review for the period ended 31 January 2023 carried out in accordance with the Local Government Financial Management Regulations 1995 Section 33A; and**
- 2. Approve the retention of the 2022-2023 Budget as approved without amendment; and**
- 3. Forward a copy of the budget review to the Department of Local Government, Sport & Cultural Industries within 30 days of endorsement.**

CARRIED BY ABSOLUTE MAJORITY 7/0

11. ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL

The Chief Executive Officer presented 3 items of business relating to the Audit Committee Meeting held earlier in the day for consideration by Council.

COUNCIL RESOLUTION

43/23 Moved Cr Clydesdale-Gebert, seconded Cr Errington that Council consider the items of business provided by the Chief Executive Officer relating to the Audit Committee meeting held on 19 April 2023.

CARRIED 7/0

12.1 AUDIT COMMITTEE MINUTES – 19 APRIL 2023

FILE REFERENCE: F/AUD-3
REPORT DATE: 19 April 2023
APPLICANT/PROPONENT: N/A
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Gavin Robins, CEO
ATTACHMENTS: Audit Committee Meeting minutes (unconfirmed) 19 April 2023

PURPOSE OF REPORT

To receive the Audit Committee Meeting Minutes (unconfirmed) held on 19 April 2023.

BACKGROUND

The Local Government Act (1995) requires Council to establish an Audit Committee to assist Council to fulfil corporate governance, stewardship, leadership and control responsibilities in relation to the Shire's financial reporting and audit responsibilities.

Due to the few Audit Committee meetings held during the year there is a significant delay between the audit meetings and the subsequent confirmation of the minutes of that meeting at the following audit committee meeting and hence, a further delay in presentation to Council of the minutes for adoption.

Therefore, it is considered more appropriate to present the unconfirmed minutes to Council for receipt. Should an issue arise at the adoption of these minutes at the following audit committee meeting varying the accuracy of the unconfirmed minutes, these changes will be presented to Council at the following Council meeting.

COMMENT

The purpose of the Audit Committee Meeting held 19 April 2023 was to consider the Financial Report and Independent Audit Report for the Year Ended 30 June 2022; Management Report for the Year Ended 30 June 2022, and the 2022 Compliance Audit Return.

POLICY REQUIREMENTS

Nil

STRATEGIC IMPLICATIONS

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS

- **Environment**
There are no known significant environmental implications associated with this proposal.
- **Economic**
There are no known significant economic implications associated with this proposal.
- **Social**
There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS

There are no financial implications to Council in relation to this item.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

44/23 Moved Cr Gilbert, seconded Cr Bryan that Council receive the unconfirmed minutes of the Audit Committee Meeting held on 19 April 2023.

CARRIED 7/0

AUDIT COMMITTEE MEETING – 19 APRIL 2023**12.2 ANNUAL FINANCIAL REPORT AND INDEPENDENT AUDIT REPORT FOR THE YEAR ENDED 30 JUNE 2022**

FILE REFERENCE: F/AUD-3

REPORT DATE: 17 April 2023

OFFICER DISCLOSURE OF INTEREST:

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Rhona Hawkins, Consultant Financial Services

ATTACHMENTS: Annual Financial Report for the Year Ended 30 June 2022
Independent Audit Report for the Year Ended 30 June 2022
Final Management Letter Responses 2022

PURPOSE OF REPORT:

The Audit Committee is requested to examine the Annual Financial Report for the year ending 30 June 2022 and recommend its adoption by Council.

BACKGROUND:

The purpose and responsibilities of the Audit Committee is outlined in Part 7 of the Local Government Act 1995. One of the Audit Committee's responsibilities is to examine the reports of the auditor. The committee would then determine if any matters raised in the reports require action to be taken by the local government and to ensure that appropriate action is implemented. The Audit Committee is to receive and authorise a report relating to the audit prepared by the Chief Executive Officer that is subsequently to be sent to the Minister.

COMMENT:

The Annual Financial Report for the Year Ended 30 June 2022 forms part of the 2021/22 Annual Report.

The Independent Audit Report to the Electors of the Shire of Moora is provided as a separate attachment to this agenda and is included in the 2021/22 Annual Report and Annual Financial Statements as required under the Act.

The Management Letter received from the OAG dated 13 April 2023, noted the annual audit was generally satisfactory. However, there were 13 Findings identified during the Final Audit as areas for improvement within the internal controls and these are listed in the attachment

along with comments from the responsible officer. These findings will be rectified, and procedures updated to reflect best practice.

POLICY REQUIREMENTS:

There are no known policy requirements related to this matter.

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.

STRATEGIC IMPLICATIONS:

Presentation of the audit report to the Management and Audit Committee assists to improve the governance role of Council.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no known significant environmental implications associated with this proposal.
- **Economic**
There are no known significant economic implications associated with this proposal.
- **Social**
There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

Nil

VOTING REQUIREMENTS:

Simple Majority Required

**COUNCIL RESOLUTION
(COMMITTEE RECOMMENDATION)**

45/23 Moved Cr Gilbert, seconded Cr Hamilton that Council note and receive the Annual Financial Report for the year ended 30 June 2022 including the Independent Audit Report and Final Management Letter Responses 2022.

CARRIED 7/0

12.3 SHIRE OF MOORA ANNUAL COMPLIANCE AUDIT RETURN FOR 2022

FILE REFERENCE: GA/SCO2

REPORT DATE: 17 April 2023

APPLICANT/PROPONENT: N/A

OFFICER DISCLOSURE OF INTEREST: The author has no financial or other interest in this matter.

PREVIOUS MEETING REFERENCES: N/A

AUTHOR: Rhona Hawkins, Consultant Financial Services

ATTACHMENTS: 2022 Compliance Audit Return

PURPOSE OF REPORT:

The statutory Compliance Audit Return (CAR) has been completed for the 2022 calendar year and is being presented for consideration and report the results of the review to Council.

BACKGROUND:

Each local government is required to carry out a compliance audit for the period 1 January to 31 December in the manner and form prescribed, whether of a financial nature or not.

The Audit Committee is to review the CAR and report to Council the results of the review (*r.14 Local Government (Audit) Regulations 1996*). The CAR is then presented to Council for adoption, and a certified copy along with the relevant section of the minutes and any additional information explaining or qualifying the compliance audit is to be submitted to the Department of Local Government, Sport and Cultural Industries by 31 March.

The Return is considered a very useful device for local governments to check their level of compliance with the legislative requirements of the *Local Government Act 1995* and other relevant legislation, as well as forming an important part of the Shire's monitoring program.

COMMENT:

The purpose of the annual CAR is for individual local governments to assess their level of compliance with the Local Government Act 1995 and associated Regulations.

There were 11 categories this year:

- Commercial Enterprises by Local Governments
- Delegation of Power/Duty
- Disclosure of Interest
- Disposal of Property
- Elections
- Finance
- Local Government Employees
- Official Conduct
- Tenders for Providing Goods and Services
- Integrated Planning and reporting
- Optional Questions

The report is provided in the attachment for further review.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995, s. 7.13(1)(i) and r. 14 and 15 of the Local Government (Audit) Regulations 1996 as set out below;

14. Compliance audits by local governments

- (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.
- (3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.
- (3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —
 - (a) presented to the council at a meeting of the council; and
 - (b) adopted by the council; and
 - (c) recorded in the minutes of the meeting at which it is adopted.

15. Certified copy of compliance audit return and other documents to be given to Departmental CEO

- (1) After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —
 - (a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and
 - (b) any additional information explaining or qualifying the compliance audit,is to be submitted to the Departmental CEO by 31 March next following the period to which the return relates.
- (2) In this regulation —

certified in relation to a compliance audit return means signed by —

 - (a) the mayor or president; and
 - (b) the CEO.

STRATEGIC IMPLICATIONS:

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS:

- **Environment**

There are no known significant environmental implications associated with this proposal.
- **Economic**

There are no known significant economic implications associated with this proposal.
- **Social**

There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

Nil

VOTING REQUIREMENTS

Simple Majority Required

**COUNCIL RESOLUTION
(COMMITTEE RECOMMENDATION)**

46/23 *Moved Cr Seymour, seconded Cr Bryan that Council adopts the attached Compliance Audit Return for the 2022 Calendar Year (1 January 2022 to 31 December 2022) and forward with the duly signed Joint Certification by the President and Chief Executive Officer, to the Department of Local Government, Sport and Cultural Industries.*

CARRIED 7/0

13. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

14. CLOSURE OF MEETING

There being no further business, the Shire President declared the meeting closed at 6.15pm.

CONFIRMED**PRESIDING MEMBER**